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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|------------------------|---------------------|------------------|
| 10/613,910 | 07/03/2003 | Stephen Edward Terepka | TD32/01 | 7173 |
| 49716 | 7590 | 09/20/2006 | EXAMINER | |
| EDWARD P. DUTKIEWICZ, ESQ. EDWARD P. DUTKIEWICZ, P.A. 640 DOUGLAS AVENUE DUNEDIN, FL 34698-7001 | | | TRAN, KHOI H | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3651 | |

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|-------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/613,910 | TEREPKA, STEPHEN EDWARD | |

| | |
|-----------------|-----------------|
| Examiner | Art Unit |
| Khoi H. Tran | 3651 |

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 August 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
 - 4a) Of the above claim(s) 7,9 and 13 is/are withdrawn from consideration.
- 5) Claim(s) 1 and 10 is/are allowed.
- 6) Claim(s) 1-6, 8, 11, 12, 14, and 15 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

KHOI H. TRAN

PRIMARY EXAMINER

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the indicia on the rails must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 3, 5, 6, 11, 12, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis 5,509,572.

Curtis '572 discloses a laundry inventory management system per claimed invention. The system comprises a trolley 12 running on rails 5, and a shuttle 13 having wheels 14 running on rails located on said trolley (Figures 1 and 5). Both trolley and shuttle comprise motor means. The shuttle comprises motorized grippers 49 for gripping hangers and respective garments located thereon. The system comprises barcode reading system. The trolley rails comprise barcodes for identifying specific trolley rail locations. Curtis '572 associates a package scanned barcode with the specific storage location on the rails (column 7, second full paragraph). Hence, it is obvious that each of Curtis '572 hanging garments includes identifiable indicia. The system comprises a computer system for operation controls and for associates the garment indicia to a specific storage location indicia on the rails.

4. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis 5,509,572 in view of Neef et al. 5,927,472.

Curtis '572 discloses all elements per claimed invention. However it is silent as to the specifics of the trolley and the shuttle being driven by stepper motors or pneumatic/hydraulic motors.

Neef et al. '472 discloses a hanger conveying system. Neef et al. '472 teach that stepper motor, pneumatic, and hydraulic motors are interchangeably well known within the industry.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided to Curtis '572 with stepper motors or hydraulic motors because they facilitate driving means for the trolley and the shuttle, as taught by Neef et al. '472.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Curtis 5,509,572 in view of Butcher et al. 4,991,719.

Curtis '572 discloses all elements per claimed invention. However it is silent as to the specifics of the gripping mechanism being pneumatically powered.

Butcher et al. '719 discloses a hanger conveying system. Butcher et al. '719 show that pneumatically operated grippers are commonly well known in the art.

It would have been obvious for a person with ordinary skill in the art, at the time the invention was made, to have provided to pneumatic powered grippers to Curtis '572 gripping system because it facilitates another commonly well-known motive means for gripping mechanism, as demonstrated by Butcher et al. '572.

Allowable Subject Matter

6. Claims 1 and 10 are allowable over the prior art of record.

Response to Arguments

7. Applicant's arguments filed 08/25/2006 have been fully considered but they are not persuasive.

Applicant argued that Curtis 5,509,572 does not contain garment indicia. Therefore, Curtis '572 does not anticipate the amended claims. This argument is not persuasive. Applicant's attention is directed to column 7, second full paragraph, for the teaching of scanning and associating a package barcode with a specific storage location along the barcoded rails. It is obvious that each of Curtis '572 hanging garments includes identifiable indicia located thereon.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

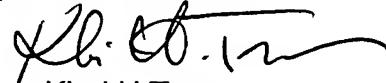
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3651

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H. Tran whose telephone number is (571) 272-6919. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Khoi H Tran
Primary Examiner
Art Unit 3651

KHT
09/15/2006